

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3125
)	
v.)	
)	
DELFINO VARGAS-BERNAL,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The defendant has moved to continue trial, (filing no. [50](#)), because the parties need more time to negotiate a plea agreement in this matter. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant Delfino Vargas-Bernal's motion to continue, (filing no. [50](#)), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on May 2, 2011 for the duration of five trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds the ends of justice will be served by continuing the trial; and the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and May 2, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 8th day of April, 2011.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge